

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

IN THE MATTER OF
THE EXTRADITION OF
EYLEM TOK & T.C.

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No. 24-mj-01365-DLC

NOTICE

The United States provides notice, as it has previously notified counsel for Eylem Tok and T.C. by letter, that the Secretary of State (“Secretary”) will not issue a surrender warrant for either Eylem Tok or T.C., and neither Eylem Tok nor T.C. will be surrendered to the Republic of Türkiye (“Türkiye”), for 28 days from the date their respective Certification and Committal for Extradition (“Certification”) are entered on the Court’s docket.

If Eylem Tok files a habeas petition challenging her Certification order within 28 days of entry of that order, the Secretary will not issue a surrender warrant for Tok and will not surrender her to Türkiye unless and until the District Court denies the habeas petition. Likewise, if T.C. files a habeas petition challenging his Certification order within 28 days of entry of that order, the Secretary will not issue a surrender warrant for T.C. and will not surrender him to Türkiye unless and until the District Court denies the habeas petition.

If the District Court denies habeas relief, the Secretary may issue a surrender warrant, and Tok and T.C. may be surrendered to Türkiye at any time thereafter, absent a court-ordered stay, even if an appeal of the District Court’s habeas denial is pending. *See* Fed. R. App. P. 8(a).¹

¹ The United States does not concede that any stay would be appropriate were appellate litigation pursued in the circuit courts. The United States may oppose any application for a stay on the grounds that Tok and/or T.C. have not met the burden for granting a stay, *i.e.*, a strong showing of a likelihood of success on the merits, irreparable harm absent a stay, any stay will not injure the opposing party, and a stay will be in the public interest. *See Nken v. Holder*, 556 U.S. 418, 434 (2009).

Respectfully submitted,

LEAH B. FOLEY
United States Attorney

By: /s/ Kristen A. Kearney
KRISTEN A. KEARNEY
Assistant U.S. Attorney

Date: February 13, 2025

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

/s/ Kristen A. Kearney
KRISTEN A. KEARNEY
Assistant U.S. Attorney